



Rec'd PCT/PTO 22 AUG 2005

10/509669

PTO/SB/01 (09-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION**
(37 CFR 1.63)

☐ Declaration
Submitted With Initial
Filing
OR
☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number AG03-004C-US

First Named Inventor Lammers, et al

COMPLETE IF KNOWN

Application Number 10/509,669

Filing Date 9/27/2004

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Generation of Plants With Improved Pathogen Resistance

the specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

03/27/2003

as United States Application Number/or PCT International

Application Number

US03/09485

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

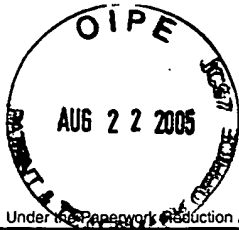
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED

7 OCT 2005

Legal Staff
International Division

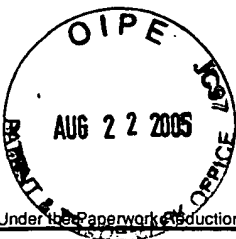


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

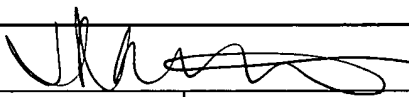
DECLARATION — Utility or Design Patent Application

Direct all correspondence to:		<input checked="" type="checkbox"/> Customer Number	23500	OR	<input type="checkbox"/> Correspondence address below
Name Exelixis, Inc.					
Address 170 Harbor Way					
City South San Francisco		State CA		ZIP 94083-0511	
Country US		Telephone 650-837-7000		Fax 650-837-8234	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Allan			Family Name or Surname Lammers		
Inventor's Signature 			Date MARCH 21, 2005		
Residence: City Portland		State OR		Country US	
				Citizenship US Canadian ^{AL}	
Mailing Address 1709 S.W. Canby Street					
City Portland		State OR		Zip 97219	
				Country US	
NAME OF SECOND INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Xing Liang (Alex)			Family Name or Surname Liu		
Inventor's Signature 			Date 3/21/05		
Residence: City Tualatin		State OR		Country US	
				Citizenship CN	
Mailing Address 8745 S.W. Stono Drive					
City Tualatin		State OR		Zip 97062	
				Country US	
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 2 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.					

BEST AVAILABLE COPY



DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet
Page 3 of 3	

Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Stanley R.		Bates	
Inventor's Signature		Date	
Residence: City	Aumsville	State	OR
Country	US	Citizenship	US
Mailing Address 10567 Stayton Road SE			
Mailing Address			
City	Aumsville	State	OR
ZIP	97325	Country	US
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Tina		Harwell	
Inventor's Signature 		Date 3-22-05	
Residence: City	Gladstone	State	OR
Country	US	Citizenship	US
Mailing Address 150 West Clackamas Blvd.			
Mailing Address			
City	Gladstone	State	OR
Zip	97027	Country	US
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Christina		Westerlund	
Inventor's Signature		Date	
Residence: City	Portland	State	OR
Country	US	Citizenship	US
Mailing Address 7224 SE 17th Ave			
Mailing Address			
City	Portland	State	OR
Zip	97202	Country	US

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

BFST AVAILABLE COPY

AUG 22 2005

DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental Sheet

Page 3 of 3

Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Stanley R.		Bates	
Inventor's Signature <i>Stanley R. Bates</i>		Date <i>7/1/05</i>	
Residence: City <u>Aumsville</u>	State <u>OR</u> <i>OK</i>	Country <u>US</u>	Citizenship <u>US</u>
Mailing Address <u>10567 Stayton Road SE</u>			
Mailing Address			
City <u>Aumsville</u>	State <u>OR</u>	ZIP <u>97325</u>	Country <u>US</u>
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Tina		Harwell	
Inventor's Signature		Date	
Residence: City <u>Gladstone</u>	State <u>OR</u>	Country <u>US</u>	Citizenship <u>US</u>
Mailing Address <u>150 West Clackamas Blvd.</u>			
Mailing Address			
City <u>Gladstone</u>	State <u>OR</u>	Zip <u>97027</u>	Country <u>US</u>
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Christina		Westerlund	
Inventor's Signature		Date	
Residence: City <u>Portland</u>	State <u>OR</u>	Country <u>US</u>	Citizenship <u>US</u>
Mailing Address <u>7224 SE 17th Ave</u>			
Mailing Address			
City <u>Portland</u>	State <u>OR</u>	Zip <u>97202</u>	Country <u>US</u>

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

BEST AVAILABLE COPY



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet
Page 3 of 3	

Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Stanley R.		Bates	
Inventor's Signature		Date	
Residence: City	Aumsville	State	OR
Country	US	Citizenship	US
Mailing Address 10567 Stayton Road SE			
Mailing Address			
City	Aumsville	State	OR
ZIP	97325	Country	US
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Tina		Harwell	
Inventor's Signature		Date	
Residence: City	Gladstone	State	OR
Country	US	Citizenship	US
Mailing Address 150 West Clackamas Blvd.			
Mailing Address			
City	Gladstone	State	OR
Zip	97027	Country	US
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Christina		Westerlund	
Inventor's Signature <i>Christina Westerlund</i>		Date <i>3/26/05</i>	
Residence: City	Portland	State	OR
Country	US	Citizenship	US
Mailing Address <i>3/26/05</i> <i>W</i> 7224 SE 17th Ave <i>4905 SE Henderson St.</i>			
Mailing Address			
City	Portland	State	OR
Zip	<i>3/26/05</i> <i>W</i> 97202 <i>97206</i>	Country	US

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

REST AVAILABLE COPY



PTO/SB/02A (09-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION**ADDITIONAL INVENTOR(S)
Supplemental Sheet**

Page 4 of 4

Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Ry		Wagner	
Inventor's Signature <i>Ry Wagner</i>		Date <i>March 31, 2005</i>	
Residence: City <i>Pleasant Hill</i>	State <i>OR</i>	Country <i>US</i>	Citizenship <i>US</i>
Mailing Address <i>85281 Ridgeway Road</i>			
Mailing Address			
City <i>Pleasant Hill</i>	State <i>OR</i>	Zip <i>97455</i>	Country <i>US</i>
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
John P. <i>John P. Davies</i>		Davies	
Inventor's Signature <i>John P. Davies</i>		Date <i>March 21, 2005</i>	
Residence: City <i>Portland</i>	State <i>OR</i>	Country <i>US</i>	Citizenship <i>US</i>
Mailing Address <i>4617 S.E. Madison St.</i>			
Mailing Address			
City <i>Portland</i>	State <i>OR</i>	Zip <i>97215</i>	Country <i>US</i>
Name of Additional Inventor, if any		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

BEST AVAILABLE COPY